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Security Council

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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 11 November 2005 from the Permanent Mission of Romania to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Romania to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004) and with reference to the latter's note of 19 August 2005, has the honour to submit herewith the additional report of the Government of Romania in accordance with paragraph 4 of Security Council resolution 1540 (2004) (see annex).

05-63649 (E) 191205

Annex to the note verbale dated 11 November 2005 from the Permanent Mission of Romania to the United Nations addressed to the Chairman of the Committee

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State: Romania

Date of Report: 27 October 2005

	Did you make one of the following statements or is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	YES	if YES, indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks (information refers to the page of the English version of the report or an official web site)
1	General statement on non-possession of WMD			
2	General statement on commitment to disarmament and non-proliferation			
3	General statement on non-provision of WMD and related materials to non-State actors	X	Does not provide any form of support to non-State actors	page 4 of the report
4	Biological Weapons Convention (BWC)	X	Ratified 25 July 1979	page 11 of the report
5	Chemical Weapons Convention (CWC)	X	Ratified 15 February 1995	page 11 of the report
6	Nuclear Non-Proliferation Treaty (NPT)	X	Ratified February 1970	page 10 of the report
7	Comprehensive Nuclear Test Ban Treaty (CTBT)	X	Ratified on October 1999	page 10 of the report
8	Convention on Physical Protection of Nuclear Material (CPPNM)	X	Ratified by Law no. 78/1993	page 19 of the report
9	Hague Code of Conduct (HCOC)	X	Signed	page 3 of the report
10	Geneva Protocol of 1925	X	Ratified 23 August 1929	page 11 of the report
11	International Atomic Energy Agency (IAEA)	X	Since 1957	http://www.iaea.org/about/policy/member states/
12	Nuclear Weapons Free Zone/ Protocol(s)			
13	Other Conventions/Treaties			

14	Other Arrangements	X	1. Wassenaar Arrangement (WA) 2. Nuclear Suppliers Group (NSG) 3. Zangger Committee (ZC) 4. Australia Group (AG)	pages 2 and 10 of the report
15	Other			

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OP 2 - Biological Weapons (BW)

State: Romania

Date of Report: 27 October 2005

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	If YES, indicate source document of national implementation law	YES	If YES, indicate source document	
1	manufacture/produce	X	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	X	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	Law 535 of 25 November 2004
2	acquire	X	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	X	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	Law no. 472/2002 was abrogated and replaced by Law 535/2004
3	possess	X	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	X	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	Law 535 of 25 November 2004
4	stockpile/store					
5	develop	X	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	X	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	Law 535 of 25 November 2004
6	transport	X	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	X	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	Law 535 of 25 November 2004

7	transfer	X	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	X	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	Law 535 of 25 November 2004
8	use	X	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	X	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	Law 535 of 25 November 2004
9	participate as an accomplice in a.m. activities	X	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	X	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	Law 535 of 25 November 2004
10	assist in a.m. activities	X	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	X	Law 535/2004 concerning prevention and combating terrorism	Law 535 of 25 November 2004
11	finance a.m. activities	X	1. Law no. 466/2002 2. Law 535/2004, Chapter III	X	1. Law no. 466/2002 2. Law no. 656/2002 3. Law 535/2004, Chapter IV	page 6 of the report
12	a.m. activities related to means of delivery					
13	involvement of non-State actors in a.m. activities			X	Law no. 535/2004, Chapter I	1. page 6 of the report 2. Law no. 472/2002 was abrogated and replaced by Law 535/2004
14	Other	X	Law 535/2004 concerning prevention and combating terrorism, Chapter IV - research for development of BW	X	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	

OP 2 - Chemical Weapons (CW)

State: Romania

Date of Report: 27 October 2005

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	If YES, indicate source document of national implementation law	YES	If YES, indicate source document	
1	manufacture/produce	X	1. Law no. 125/1994 2. Law no. 56/1997, modified and republished in 2004 3. Law no. 448/2003 4. Law no. 525/2004, Chapter IV	X	1. Law no. 125/1994 2. Law no. 56/1997, modified and republished in 2004 3. Law no. 448/2003 4. Law no. 525/2004, Chapter IV	page 5 of the report
2	acquire	X		X		
3	possess	X	1. Law no. 125/1994 2. Law no. 56/1997, modified and republished in 2004 3. Law no. 448/2003 4. Law no. 535/2004, Chapter IV	X	1. Law no. 125/1994 2. Law no. 56/1997, modified and republished in 2004 3. Law no. 448/2003 4. Law no. 525/2004, Chapter IV	
4	stockpile/store	X	1. Law no. 125/1994 2. Law no. 56/1997, modified and republished in 2004 3. Law no. 448/2003	X	1. Law no. 125/1994 2. Law no. 56/1997, modified and republished in 2004 3. Law no. 448/2003	
5	develop	X	1. Law no. 125/1994 2. Law no. 56/1997, modified and republished in 2004 3. Law no. 448/2003 4. Law no. 535/2004, Chapter IV	X	1. Law no. 125/1994 2. Law no. 56/1997, modified and republished in 2004 3. Law no. 448/2003 4. Law no. 535/2004, Chapter IV	page 5 of the report
6	transport	X	Law no. 535/2004, Chapter IV	X	Law no. 535/2004, Chapter IV	
7	transfer	X	1. Law no. 125/1994 2. Law no. 56/1997, modified and republished in 2004 3. Law no. 448/2003 4. Law no. 535/2004, Chapter IV	X	1. Law no. 125/1994 2. Law no. 56/1997, modified and republished in 2004 3. Law no. 448/2003 4. Law no. 535/2004, Chapter IV	page 5 of the report
8	use	X		X		
9	participate as an accomplice in a.m. activities	X	Law no. 535/2004, Chapter IV	X	Law no. 535/2004, Chapter IV	

10	assist in a.m. activities	X	1. Law no. 125/1994 2. Law no. 56/1997, modified and republished in 2004 3. Law no. 448/2003 4. Law no. 535/2004, Chapter IV		1. Law no. 125/1994 2. Law no. 56/1997, modified and republished in 2004 3. Law no. 448/2003 4. Law no. 535/2004, Chapter IV	page 5 of the report
11	finance a.m. activities	X	1. Law no. 466/2002 2. Law no. 535/2004, Chapter IV	X	1. Law no. 466/2002 2. Law no. 656/2002 3. Law no. 535/2004, Chapter IV	page 6 of the report
12	a.m. activities related to means of delivery					
13	involvement of non-State actors in a.m. activities			X	Law no. 535/2004, Chapter I	1. page 6 of the report 2. Law no. 472/2002 was abrogated and replaced by Law 535/2004
14	Other					

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OP 2 - Nuclear Weapons (NW)

State: Romania

Date of Report: 27 October 2005

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1	manufacture/produce	X	Law no. 111/1996 as modified by Law no. 193/2002	X	Law no. 111/1996 as modified by Law no. 193/2002, art. 46	page 5 of the report
2	acquire	X	Law no. 111/1996 as modified by Law no. 193/2002	X	Law no. 111/1996 as modified by Law no. 193/2002, art. 44	page 5 of the report
3	possess	X	Law no. 111/1996 as modified by Law no. 193/2002	X	Law no. 111/1996 as modified by Law no. 193/2002, art. 46	page 5 of the report
4	stockpile/store	X	Law no. 111/1996 as modified by Law no. 193/2002	X	Law no. 111/1996 as modified by Law no. 193/2002, art. 44	http://www.cncan.ro/bd/legi/legea%20111.pdf
5	develop	X	Law no. 111/1996 as modified by Law no. 193/2002	X	Law no. 111/1996 as modified by Law no. 193/2002, art. 46	page 5 of the report
6	transport	X	Law no. 111/1996 as modified by Law no. 193/2002	X	Law no. 111/1996 as modified by Law no. 193/2002, art. 44 Law 333/2003 concerning the security of assets goods and objectives and personnel protection	
7	transfer	X	Law no. 111/1996 as modified by Law no. 193/2002	X	Law no. 111/1996 as modified by Law no. 193/2002, art. 44	page 5 of the report
8	use	X	Law no. 111/1996 as modified by Law no. 193/2002	X	Law no. 111/1996 as modified by Law no. 193/2002, art. 46	page 5 of the report
9	participate as an accomplice in a.m. activities	X	Law no. 111/1996 as modified by Law no. 193/2002		Law no. 111/1996 as modified by Law no. 193/2002, art. 46	
10	assist in a.m. activities	X	Law no. 535/2004, Chapter IV	X	Law no. 535/2004, Chapter IV	

11	finance a.m. activities	X	1. Law no. 466/2002 2. Law no. 535/2004, Chapter IV	X	1. Law no. 466/2002 2. Law no. 656/2002 3. Law no. 535/2004, Chapter IV	page 6 of the report
12	a.m. activities related to means of delivery					
13	involvement of non-State actors in a.m. activities			X	Law no. 535/2004, Chapter I	1. page 6 of the report 2. Law no. 472/2002 was abrogated and replaced by Law 535/2004
14	Other					

OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials

State: Romania

Date of Report: 27 October 2005

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
		YES	If YES, indicate source document	YES	If YES, indicate source document	
1	Measures to account for production					
2	Measures to account for use					
3	Measures to account for storage					
4	Measures to account for transport					
5	Other measures for accounting					
6	Measures to secure production					
7	Measures to secure use					
8	Measures to secure storage					
9	Measures to secure transport					
10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports					
12	Licensing/registration of facilities/persons handling biological materials					
13	Reliability check of personnel					

14	Measures to account for/secure/ physically protect means of delivery					
15	Regulations for genetic engineering work	X	Governmental Ordinance 49/2000 on genetic engineering			http //www.bioresurse.ro/pagini o mg/aplicatie2.html
16	Other legislation/ regulations related to safety and security of biological materials					
17	Other	?	Inter-departmental working group to consider and recommend possible updates to national legislation in the biological field			page 5 of the report

OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials

State: Romania

Date of Report: 27 October 2005

	Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
		YES	If YES, indicate source document	YES	If YES, indicate source document	
1	Measures to account for production	X	*Law no. 56/1997, modified and republished in 2004*	X	*Law no. 56/1997, modified and republished in 2004, Chapter VIII*	*http://www.opcw.org/docs/la_natimpleg/romania%20_leg.pdf*
2	Measures to account for use	X	*Law no. 56/1997, modified and republished in 2004*	X	*Law no. 56/1997, modified and republished in 2004, Chapter VIII*	*http://www.opcw.org/docs/la_natimpleg/romania%20_leg.pdf*
3	Measures to account for storage					
4	Measures to account for transport					
5	Other measures for accounting					
6	Measures to secure production					
7	Measures to secure use					
8	Measures to secure storage					
9	Measures to secure transport					
10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports					
12	Licensing of chemical installations/entities/use of materials	X	*Law no. 56/1997, modified and republished in 2004*	X	*Law no. 56/1997, modified and republished in 2004, Chapter VIII*	*http://www.opcw.org/docs/la_natimpleg/romania%20_leg.pdf*
13	Reliability check of personnel					

14	Measures to account for/secure/ physically protect means of delivery					
15	National CWC authority	X	National Agency for Export Control (ANCEX)		Law no. 56/1997, modified and republished in 2004, Chapter VIII	page 7 of the report
16	Reporting Schedule I, II and III chemicals to OPCW	X	*Law no. 56/1997, modified and republished in 2004*			*http://www.opcw.org/docs/la_natimpleg/romania%20_leg.pdf*
17	Account for, secure or physically protect old chemical weapons					
18	Other legislation/ regulations controlling chemical materials					
19	Other					

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OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials

State: **Romania**

Date of Report: **27 October 2005**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
		YES	If YES, indicate source document	YES	If YES, indicate source document	
1	Measures to account for production	X	*Law no. 111/1996 as modified by Law no. 193/2003 Safeguards regulations in Nuclear Field Authorization Procedures Regulations*	X	Law no. 111/1996 as modified by Law no. 193/2003, (art. 44, 45, 47) Safeguards Regulations in Nuclear Field (art. 109)	*http://www.cncan.ro/bd/legi/legea%20111.pdf*
2	Measures to account for use	X		X	Law no. 111/1996 as modified by Law no. 193/2003, (art. 44, 45, 47) Safeguards Regulations in Nuclear Field (art. 109)	
3	Measures to account for storage	X		X	Law no. 111/1996 as modified by Law no. 193/2003, (art. 44, 45, 47) Safeguards Regulations in Nuclear Field (art. 109)	
4	Measures to account for transport	X	Law no. 111/1996 as modified by Law no. 193/2003	X	Law no. 111/1996 as modified by Law no. 193/2003, (art. 44)	
5	Other measures for accounting	X	Law no. 111/1996 as modified by Law no. 193/2003 Safeguards regulations in Nuclear Field Authorization Procedures Regulations	X	Law no. 111/1996 as modified by Law no. 193/2003, (art. 44, 45, 47) Safeguards Regulations in Nuclear Field (art. 109)	
6	Measures to secure production	X	*Law no. 111/1996 as modified by Law no. 193/2002*	X	*Responsibility of the applicant for an authorisation*	*http://www.cncan.ro/bd/legi/legea%20111.pdf*
7	Measures to secure use	X		X		
8	Measures to secure storage	X		X		

9	Measures to secure transport	X	Radioactive Material Transport Regulation	X	*1. Transport only by specially authorized transporters* *2. Law no. 111/1996 as modified by Law no. 193/2002, Chapter III* *3. Law 333/2003 concerning the security of assets goods and objectives and personnel protection*	page 5 of the report *http://www.cncan.ro/bd/legi/legea%20111.pdf*
10	Other measures for securing	X	Physical Protection Regulations in Nuclear Field Regulations on the Requirement for Qualification of Physical Protection Personnel Design Basis Threat Document Guide on Using the DBT Document	X	Physical Protection Regulations in Nuclear Field (art. 186)	*http://www.cncan.ro/bd/legi/legea%20111.pdf*
11	Regulations for physical protection of facilities/materials/ transports	X	*Law no. 111/1996 as modified by Law no. 193/2002*	X	**National Norms for Physical Protection in Nuclear Field** (art. 186) Regulations on the Requirement for Qualification of Physical Protection Personnel Design Basis Threat Document Guide on Using the DBT Document	page 5 of the report *http://www.cncan.ro/bd/legi/legea%20111.pdf*
12	Licensing of nuclear installations/entities/use of materials	X		X	*Law no. 111/1996 as modified by Law no. 193/2002, Chapter III*	http://www.cncan.ro/bd/legi/legea%20111.pdf
13	Reliability check of personnel	X				
14	Measures to account for/secure/ physically protect means of delivery					
15	National regulatory authority	X	National Commission for Nuclear Activities Control (CNCAN)	X	*1. Special empowered CNCAN representatives at the authorization holder's precinct* *2. Law no. 111/1996 as modified by Law no. 193/2002, Chapter III*	page 5 of the report *http://www.cncan.ro/bd/legi/legea%20111.pdf*
16	IAEA Safeguards Agreements	X	*1. Safeguards Agreement in force 27 October 1972* *2. Additional protocol in force 07 January 2001*			pages 2, 3 and 10 of the report *http://www.iaea.org/OurWork/SV/Safeguards/sir_table.pdf*

17	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	*Expressed support to IAEA DG*			*http://www-ns.iaea.org/downloads/rw/meetings/code-conduct-signatories.pdf*
18	IAEA Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources	X	*Contributes to database program*			*http://www.iaea.org/About/Policy/GC/GC42/Documents/gc42-17.html*
19	Other Agreements related to IAEA					
20	Additional national legislation/regulations related to nuclear materials including CPPNM					
21	Other			X	TRIGA research reactor from HEU fuel to LEU	page 23 of the report

OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of BW including Related Materials

State: **Romania**

Date of Report: **27 October 2005**

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
		YES	If YES, indicate source document	YES	If YES, indicate source document	
1	Border control	X	*1. Law no. 141/1997 on the Customs Code* *2. Government Decision no. 1114/2001 on the Regulation of Application of the Customs Code* *Law no. 76/2003 Monitoring procedure of strategic products export*	X	*Chapter XI, Law no. 141/1997 on the Customs Code* *Chapter VI, Section III, Prohibition and limitations of import/export, of Law no. 141/1997 of Customs Code* *Emergency Government Resolution 104/2001 concerning the establishment and function of the Romanian Border Police* *Law 81/2002 to approve the resolution*	http://www.customs.ro/vami_en/Main
2	Technical support of border control measures			X	National Customs owns the following equipment of control : 2 gates for radioactivity detection (Siret and Albita Customs), 47 portable device radiation detection, 47 device for measurement of radiation	

3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	1. Law no. 387/2003 2. Government Ordinance no. 158/1999, approved by Law no. 595/2004	X	Penal Code, art. 312 Law no. 387/2003, Chapter V Law no. 301/2004 (Penal Code) Government Ordinance no. 158/1999, modified and approved by Law no. 595/2004	pages 9, 10, and 17 of the report
4	Enforcement agencies/authorities	X	*Law no. 602 of 30 December 2004: National Customs Authority*	X	National Agency for Export Control; National Customs Authority; Division for Economic Investigation; Border Police Law no. 387/2003, Chapter V Law no. 301/2004 (Penal Code) Law no. 56/1997, modified and republished 2004 Government Ordinance no. 158/1999, modified and approved by Law no. 595/2004	page 16 of the report *http://www.customs.ro/vami_en/Main*
5	Export control legislation in place	X	1. Government Decision no. 594/1992 2. Government Ordinance no. 31/1994 3. Law no. 93/1994 4. Government Ordinance no. 158/1999	X	Penal Code, art. 302 Law no. 387/2003 Government Ordinance no. 158/1999, approved by Law no. 595/2004 Law no. 301/2004 (Penal Code) Law no. 56/1997, modified and republished in 2004 Government Resolution 920/2005 concerning function of ANCEX Law 387/2003 concerning double use technology export and import schedule Law 595/2004 concerning the military products export and import schedule	pages 7 and 17 of the report

			5. Law no. 387/2003 6. Government Ordinance no. 158/1999, approved by Law no. 595/2004		Administrative and criminal penalties Law no. 387/2003 Government Ordinance no. 158/1999, approved by Law no. 595/2004	
6	Licensing provisions	X		X	Government Resolution 920/2005 concerning function of ANCEX Law 387/2003 concerning double use technology export and import schedule Law 595/2004 concerning the military products export and import schedule	page 7 of the report
7	Individual licensing	X	Law no. 387/2003 Government Ordinance no. 158/1999, approved by Law no. 595/2004		Law no. 387/2003 Government Ordinance no. 158/1999, approved by Law no. 595/2004	pages 10 and 14 of the report
8	General licensing	X				page 14 of the report
9	Exceptions from licensing					
10	Licensing of deemed export/visa					
11	National licensing authority	X	National Agency for Export Control - ANCEX (Government Decision No. 594/1992, which must be correlated with the provisions of Government Decision no. 920/2005) Law no. 387/2003, Government Ordinance no 158/1999, modified and approved by Law no 595/2004)			page 7 and 8 of the report
12	Interagency review for licenses	X	1. Interministerial Council (Law no. 387/2003, Ordinance no 158/1999, modified and approved by Law no 595/2004)) 2. Inter-departmental Group for Non-proliferation 3. Interministerial Council for Counter-terrorism			pages 4 and 8 of the report

13	Control lists	X	Government Decision no. 20/2000 Government Decision No. 844/2001 Government Decision no. 861/2004 Government Decision No. 983/2005			pages 12 and 18 of the report
14	Updating of lists	X	Government Decision no. 861/2004 and other updates Government Decision No. 983/2005			pages 8 and 12 of the report
15	Inclusion of technologies	X	Law no. 387/2003 Government Ordinance no 158/1999, modified and approved by Law no 595/2004	X	Law no. 387/2003 Government Ordinance no 158/1999, modified and approved by Law no 595/2004	page 10 of the report
16	Inclusion of means of delivery	X	Government Decision no. 594/1992 Government Decision no. 467/1999, Annex 1 Government Decision no. 861/2004 Law no. 387/2003 Government Ordinance no 158/1999, modified and approved by Law no 595/2004	X	Law no. 387/2003 Government Ordinance no 158/1999, modified and approved by Law no 595/2004 Government Resolution 983/2005 concerning double use technology and substances catalogue coming under control schedule Government Resolution 844/2001 concerning military products catalogue coming under control schedule	page 11 of the report
17	End-user controls	X	Law no. 387/2003 Government Ordinance no 158/1999, modified and approved by Law no 595/2004	X	1. International Import Certificate 2. Fines Law no. 387/2003 Government Ordinance no 158/1999, modified and approved by Law no 595/2004	pages 9, 13, 15, and 17 of the report

18	Catch all clause	X	Law no. 387/2003 Government Ordinance no 158/1999, modified and approved by Law no 595/2004	X	Law no. 387/2003 Government Ordinance no 158/1999, modified and approved by Law no 595/2004	page 12 of the report
19	Intangible transfers	X	Law no. 387/2003 Government Ordinance no 158/1999, modified and approved by Law no 595/2004	X	Law no. 387/2003 Government Ordinance no 158/1999, modified and approved by Law no 595/2004	page 10 of the report
20	Transit control	X	Government Ordinance no. 158/1999, approved by Law no. 595/2004 Law no. 387/2003	X	Government Ordinance no. 158/1999, approved by Law no. 595/2004, concerning military products export and import schedule Law no. 387/2003	pages 13 and 14 of the report
21	Trans-shipment control	X	Government Ordinance no. 158/1999, approved by Law no. 595/2004 Law no. 387/2003	X	Government Ordinance no. 158/1999, approved by Law no. 595/2004 Law no. 387/2003	pages 13 and 15 of the report
22	Re-export control	X	Government Ordinance no. 158/1999, approved by Law no. 595/2004 Law no. 387/2003		Government Ordinance no. 158/1999, approved by Law no. 595/2004 Law no. 387/2003	page 9 of the report
23	Control of providing funds					
24	Control of providing transport services					
25	Control of importation	X	Government Ordinance no. 158/1999, approved by Law no. 595/2004 Law no. 387/2003	X	Delivery Verification Certification Government Ordinance no. 158/1999, approved by Law no. 595/2004 Law no. 387/2003	pages 13 and 15 of the report
26	Extraterritorial applicability	X	Applies to Romanian natural persons and residents abroad			page 10 of the report
Bla	Other			X	Black Sea Border Security Initiative	page 24 of the report

OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of CW including Related Materials

State: Romania

Date of Report: 27 October 2005

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of CW and Related Materials ? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
		YES	If YES, indicate source document	YES	If YES, indicate source document	
1	Border control	X	*1. Law no. 141 on the Customs Code* *2. Government Decision no. 1114/2001 on the Regulation of Application of the Customs Code*	X	*Customs Code, Chapter XI*	*http://www.customs.ro/vami_en/Main*
2	Technical support of border control measures					
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	1. Law no. 387/2003 2. Government Ordinance no. 158/1999, approved by Law no 595/2004	X	Penal Code, art. 312	pages 9, 10, and 17 of the report
4	Enforcement agencies/authorities	X	*Law no. 602 of 30 December 2004: National Customs Authority*	X	National Agency for Export Control; National Customs Authority; Division for Economic Investigation; Border Police	page 16 of the report *http://www.customs.ro/vami_en/Main*
5	Export control legislation in place	X	1. Government Decision no. 594/1992, which must be correlated with the provisions of Government Decision no. 920/2005	X	1. Penal Code, art. 302 *2. Law no. 56/1997, Chapter VIII*	page 7 of the report *http://www.opcw.org/docs/fa_natimpleg/romania%20_leg.pdf*
6	Licensing provisions	X	2. Government Ordinance no. 31/1994 3. Law no. 93/1994 4. Government Ordinance no. 158/1999, approved by Law no 595/2004 5. Law no. 387/2003 *6. Law no. 56/1997*	X	*1. Law no. 56/1997, Chapter VIII* 2. Administrative and criminal penalties	pages 7 and 17 of the report *http://www.opcw.org/docs/fa_natimpleg/romania%20_leg.pdf*

7	Individual licensing	X	Case-by-case			pages 10 and 14 of the report
8	General licensing	X				page 14 of the report
9	Exceptions from licensing					
10	Licensing of deemed export/visa					
11	National licensing authority	X	National Agency for Export Control - ANCEX (Government Decision No. 594/1992) Government Ordinance no. 158/1999, approved by Law no 595/2004 which must be correlated with the provisions of Government Decision no. 920/2005	X	Government Resolution 920/2005 concerning ANCEX functions	page 7 and 8 of the report
12	Interagency review for licenses	X	1. Interministerial Council (Law no. 387/2003) 2. Inter -departmental Group for Non-proliferation 3. Interministerial Council for Counter-terrorism			pages 4 and 8 of the report
13	Control lists	X	1. Government Decision no. 20/2000 2.Government Decision No. 844/2001 3. Government Decision no. 861/2004 *4. Law no. 56/1997, Annex 1*			pages 12 and 18 of the report *http://www.opcw.org/docs/fa_nat impleg/romania%20_leg.pdf*

14	Updating of lists	X	Government Decision no. 861/2004	X	Government Resolution 983/2005 concerning double use technology and substances catalogue coming under control schedule Government Resolution 844/2001 concerning military products catalogue coming under control schedule Addendum 1 at Law 56/1997 concerning prohibition of chemical weapons	page 8 of the report
15	Inclusion of technologies	X				page 10 of the report
16	Inclusion of means of delivery	X	1. Government Decision no. 594/1992, which must be correlated with the provisions of Government Decision no. 920/2005 2. Government Decision no. 467/1999, Annex 1			page 11 of the report
17	End-user controls	X	*Law no. 56/1997*	X	1. International Import Certificate 2. Fines	pages 9, 13, 15 and 17 of the report *http://www.opcw.org/docs/fa_natimpleg/romania%20_leg.pdf*
18	Catch all clause	X				page 12 of the report
19	Intangible transfers	X				page 10 of the report
20	Transit control	X	Government Ordinance No. 158/1999	X	Delivery Verification Certification Law 595/2004 concerning the military products export and import schedule	pages 13 and 14 of the report
21	Trans-shipment control	X	Government Ordinance No. 158/1999	X		pages 13 and 15 of the report
22	Re-export control	X	Government Ordinance No. 158/1999	X		page 9 of the report
23	Control of providing funds			X		
24	Control of providing transport services			X		
25	Control of importation	X	Government Ordinance No. 158/1999	X		pages 13 and 15 of the report
26	Extraterritorial applicability	X	Applies to Romanian natural persons and residents abroad			page 10 of the report
27	Other			X	"Border Defense Initiative"	page 24 of the report

OP 3 (c) and (d) and related matters from OP 6, and OP 10 - Controls of NW including Related Materials

State: **Romania**

Date of Report: **27 October 2005**

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
		YES	If YES, indicate source document	YES	If YES, indicate source document	
1	Border control	X	*1. Law no. 141 on the Customs Code* *2. Government Decision no. 1114/2001 on the Regulation of Application of the Customs Code*	X	*Customs Code, Chapter XI*	*http://www.customs.ro/vami_en/Main*
2	Technical support of border control measures					
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	1. Law no. 387/2003 2. Government Ordinance no. 158/1999, approved by Law no. 595/2004	X	Penal Code, art. 312	pages 9, 10, and 17 of the report
4	Enforcement agencies/authorities	X	*Law no. 602 of 30 December 2004: National Customs Authority*	X	National Agency for Export Control; National Customs Authority; Division for Economic Investigation; Border Police	page 16 of the report *http://www.customs.ro/vami_en/Main*
5	Export control legislation in place	X	1. Government Decision no. 594/1992 2. Government Ordinance no. 31/1994	X	Penal Code, art. 302	

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6	Licensing provisions	X	3. Law no. 93/1994 4. Government Ordinance no. 158/1999, approved by Law no. 595/2004 5. Law no. 387/2003 *6. Law 111/1996 as amended as modified by Law no 193/2002* *7. Government Decision no 916/2002*	X	Administrative and criminal penalties	pages 7 and 17 of the report *http://www.cncan.ro/bd/legi/legea%20111.pdf*
7	Individual licensing	X	Case-by-case			pages 10 and 14 of the report
8	General licensing	X				page 14 of the report
9	Exceptions from licensing					
10	Licensing of deemed export/visa					
11	National licensing authority	X	National Agency for Export Control - ANCEX (Government Decision No. 594/1992) Law no. 111/1996 as modified by Law no 193/2003			page 7 and 8 of the report
12	Interagency review for licenses	X	1. Interministerial Council (Law no. 387/2003) 2. Inter -departmental Group for Non-proliferation 3. Interministerial Council for Counter-terrorism 4. MoD and CNCAN			pages 4, 8 and 12 of the report
13	Control lists	X	1. Government Decision no. 20/2000 2. Government Decision No. 844/2001 3. Government Decision no. 861/2004			pages 12 and 18 of the report
14	Updating of lists	X	Government Decision no. 861/2004			page 8 of the report
15	Inclusion of technologies	X				page 10 of the report
16	Inclusion of means of delivery	X	1. Government Decision no. 594/1992 2. . Government Decision no. 861/2004			page 11 of the report

17	End-user controls	X		X	1. International Import Certificate 2. Fines	pages 9, 13, 15, and 17 of the report
18	Catch all clause	X				page 12 of the report
19	Intangible transfers	X				page 10 of the report
20	Transit control	X	*1. Law no. 111/1996 as modified by Law no 193/2003* 2. Government Ordinance No. 158/1999	X	*Law no. 111/1996 as modified by Law no 193/2003*	pages 13 and 14 of the report *http://www.cncan.ro/bd/legi/legea%20111.pdf*
21	Trans-shipment control	X	Government Ordinance No. 158/1999	X	Law 595/2004 concerning military products export and import schedule	pages 13 and 15 of the report
22	Re-export control	X	Government Ordinance No. 158/1999	X		page 9 of the report
23	Control of providing funds					
24	Control of providing transport services	X	*1. Law no. 111/1996 as amended* 2. Radiation Material Transport Regulation	X	*1. Transport only by specially authorized transporters* *2. Law no. 111/1996 as modified by Law no. 193/2002, Chapter III*	page 5 of the report *http://www.cncan.ro/bd/legi/legea%20111.pdf*
25	Control of importation	X	*1. Law no. 111/1996 as amended* 2. Government Ordinance No. 158/1999	X	*1. Law no. 111/1996 as amended* 2. Delivery Verification Certification	pages 13 and 15 of the report *http://www.cncan.ro/bd/legi/legea%20111.pdf*
26	Extraterritorial applicability	X	Applies to Romanian natural persons and residents abroad			page 10 of the report
27	Other			X	Black Sea Border Security Initiative	page 24 of the report

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OP 6, 7 and 8 (d) - Control lists, Assistance, Information

State: Romania

Date of Report: 27 October 2005

	Can information be provided on the following issues ?	YES		Remarks
1	Control lists - items (goods/ equipment/materials/technologies)	X	1. Government Decision no. 861/2004: List of dual-use goods and technologies 2. Government Decision no. 844/2001: List of arms, ammunition and other military goods 3. Government Decision no. 467/1999, Annex I 4. Government Decision no. 20/2000 *5. Law no. 56/1997, Annex 1*	pages 12 and 18 of the report *http://www.opcw.org/docs/la_natimpleg/romania%20_leg.pdf*
2	Control lists - other			
3	Assistance offered	X	Romania is willing to contribute its share in providing assistance, as appropriate, in response to requests	page 18 of the report
4	Assistance requested			
5	Assistance in place (bilateral/plurilateral/multilateral)			
6	Information for industry	X	1. National Nuclear Regulatory Authority works with institutions and industry performing authorized nuclear activities 2. National CWC Authority works with Romanian industry, including to organize conferences, seminars, workshops, etc. 3. these areas are regulated by Government Ordinance no. 7/2003 regarding the utiliyation of nuclear energy exclusively in peaceful purposes, republished	pages 21 and 22 of the report
7	Information for the public	X	Information is disseminated through websites, publications and leaflets - these areas are regulated by Government Ordinance no. 7/2003 regarding the utiliyation of nuclear energy exclusively in peaceful purposes, republished	pages 5, 7 and 22 of the report